

## UNITED STATES DISTRICT COURT

District of

Delaware

## PLAINTIFF

PROGRESSIVE NORTHWESTERN  
INSURANCE, A/S/O HORTON BROTHERS  
OF DELAWARE, INC AND JACKIE L. LUCAS, JR.  
V. DEFENDANT AND THIRD PARTY PLAINTIFF

THIRD PARTY SUMMONS IN A  
CIVIL ACTION

NATIONAL RAILROAD PASSENGER  
CORPORATION A/K/A AMTRAK,  
RONALD F. ANNONE, AND  
NORFOLK SOUTHERN CORPORATION

Case Number: 1:05-CV-736

## V. THIRD PARTY DEFENDANT

RHONDA LUCAS AND  
JACKIE L. LUCAS, JR.

To: Name and address of Third Party Defendant

RHONDA LUCAS  
1004 S. GERALD DRIVE  
NEWARK, DE 19713

YOU ARE HEREBY SUMMONED and required to serve on

PLAINTIFF'S ATTORNEY (name and address)

ROGER D. LANDON, ESQUIRE  
1011 CENTRE ROAD  
SUITE 210  
WILMINGTON, DE 19805

DEFENDANT AND THIRD-PARTY PLAINTIFF'S ATTORNEY  
(name and address)

JESSICA E. GENSLER LIPPY, ESQUIRE  
501 SILVERSIDE ROAD  
SUITE 94  
WILMINGTON, DE 19809

an answer to the third-party complaint which is served on you with this summons, within 20 days after the service of this summons on you, exclusive of the day of service. If you fail to do so, judgment by default may be taken against you for the relief demanded in the third-party complaint. There is also served on you with this summons a copy of the complaint of the plaintiff. You have the option of answering or not answering the plaintiff's complaint, *unless* (1) this is a case within Rule 9(h) Federal Rules of Civil Procedure, *and* (2) the third-party plaintiff is demanding judgment against you in favor of the original plaintiff under the circumstances described in Rule 14(c) Federal Rules of Civil Procedure, in which situation you are required to make your defenses, if any, to the claim of plaintiff as well as to the claim of the third-party plaintiff. Any answer that you serve on the parties to this action must be filed with the Clerk of this Court within a reasonable period of time after service.

PETER T. DALLEO

NOV 16 2005

CLERK



DATE

(By) DEPUTY CLERK

AO 440 (Rev. 8/01) Summons in a Civil Action

**RETURN OF SERVICE**

Service of the Summons and complaint was made by me <sup>(1)</sup>	DATE <b>12/10/2005 @ 2:50 p.m.</b>
NAME OF SERVER (PRINT) <b>David W. Phillips</b>	TITLE <b>Special Process Server</b>

*Check one box below to indicate appropriate method of service*

☒ Served personally upon the defendant by serving **Rhonda Lucas, personally, 1004 South Gerald Drive, Newark, DE 19713**

**35, F, W, 5'7", 155 pounds, blonde hair, no glasses**

☐ Left copies thereof at the defendant's house or usual place of abode with a person of suitable age and discretion then residing therein.

Name of person with whom the summons and complaint were

☐ Returned unexecuted:

☐ Other (specify):


**STATEMENT OF SERVICE FEES**

TRAVEL	SERVICES	TOTAL
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**DECLARATION OF SERVER**

I declare under penalty of perjury under the laws of the United State of America that the foregoing information contained in the Return of Service and Statement of Service Fees is true and correct.

Executed on 12/13/2005  
Date

  
\_\_\_\_\_  
David W. Phillips

**O'ROURKE INVESTIGATIVE ASSOCIATES, INC.**  
**1225 King Street, Suite 400**  
**P. O. Box 368**  
**Wilmington, DE 19899-0368**

(1) As to who may serve a summons see Rule 4 of the Federal Rules of Civil Procedure